REMARKS

Claims 1-18 are pending in this application and have been finally rejected. Claims 2 and 9-16 were rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 1-14 and 16-18 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,208,689 ("Ohra"). Claim 15 was rejected under 35 U.S.C. 103(a) as being obvious over Ohra in view of U.S. Patent 6,243,421 ("Nakajima").

The Applicant has amended claims 2 and 9-16 to correct problems with respect to antecedent basis. These amendments have not narrowed the scope of these claims from what they were previously. The changes to the claims are shown in the attached document, which is captioned.

In view of these amendments, and the remarks as set forth below, the Applicant respectfully requests reconsideration of the final rejection of claims 1-18.

I. Rejection Under Section 112, Second Paragraph

The Applicant has amended claims 2 and 9-16 to correct problems in those claims relating to antecedent basis that were pointed out in paragraph 1 of the Office Action. Withdrawal of the rejection of the amended claims under Section 112 is respectfully requested.

II. Rejection Under Section 102(e)

The Applicant earnestly and respectfully requests reconsideration of the final rejection of claims 1-14 and 16-18 as being anticipated by Ohra. The Applicant respectfully

submits that the Office Action's comments betray a fundamental misunderstanding of one of the key features recited by these claims.

Each of the claims of the present invention requires that bit allocation control occur as a function of the number of bits in a ***memory access unit***. The claims are distinguished from conventional compression systems in that, as the specification of the present application makes clear, conventional systems do not take the number of bits in a memory access unit into account when performing bit allocation control. Rather, conventional systems perform bit allocation control "based on the compression ratio, and the number of bits of a memory access unit is not taken into account." Specification at 5, lines 3-7.

Ohira's system is identical in this respect to the conventional systems described in the specification of the present application. In Figure 18 of Ohira, a compression rate judging section 106 is described as judging a rate of the decoded data 151 to be compressed and stored in the frame memory based upon the size of the image in connection with the storage capacity of the frame memory. The compression rate judging section 106 selects a compression mode based on this rate of compression. See Ohira, col. 13, lines 26-32.

Ohira clearly discloses selection of a compression mode (i.e., execution of bit allocation control) based on the compression ratio between the size of the image as compared with the storage capacity ***of the frame memory itself***. Nothing in Ohira discloses or suggests that bit allocation control is performed based on the number of bits of ***a memory access unit*** as required by each of the claims of the present application. Rather, in Ohira, bit allocation control is performed based on the compression ratio described above, which is judged by the compression rate judging section 106 based on the available frame

memory.

Again, the Applicant respectfully emphasizes that performing bit allocation control based on the number of bits of a memory access unit, as required by claims 1-18, is quite different from what is being done in Ohira. Ohira teaches choosing a compression mode based on the available frame memory. While the Office Action indicates that "some sort of accessing means must inherently be included within memory 103 in order to handle the data," this statement merely begs the essential question. Even it were correct to say that a memory access unit is inherently included within a memory, it does not necessarily follow that performing bit allocation control based on the number of bits of a memory access unit is inherent in Ohira simply because Ohira discloses a frame memory. The essential question that must be answered is whether Ohira discloses or suggests performing bit allocation control based on the number of bits in a memory access unit. The answer to this question, it is respectfully submitted, is no.

For the reasons stated above, the Applicant respectfully requests reconsideration of the rejection of claims 1-14, and 16-18 under Section 102(e).

III. Rejection Under Section 103(a)

Claim 15 was rejected as being obvious over the combination of Ohira with Nakajima. Claim 15 depends from, and includes all of the limitations of, claim 9, which requires that bit allocation control be based on the number of bits in a memory access unit. As was stated previously, Ohira does not disclose or suggest this limitation. Since Nakajima was not cited to cure this deficiency in Ohira, but rather to disclose certain additional features recited by claim 15, the combination of Nakajima and Ohira remains deficient. Reconsideration of this rejection is also respectfully requested.

IV. Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

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Respectfully submitted,

By _____

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